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## REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-24 were pending in this application.

In the Office Action mailed December 28, 2006, the previously issued restriction requirement was made final and therefore claims 1-14 and 21-24 have been withdrawn from consideration; claims 17 and 19 were rejected under 35 U.S.C. § 112, second paragraph as lacking antecedent basis for a claim term; claims 15-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,670,273 to Velasquez et al. ("Velasquez"); claims 18-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Velasquez; claims 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Velasquez, in view of U.S. Patent No. 6,136,476 to Schutts et al. ("Schutts"); claims 20 was rejected under 35 U.S.C. 103(a) as being unpatentable over Velasquez, in view of Schutts.

In this Amendment, claims 15-20 have been amended. Claims 25-44 have been added. Accordingly, upon entry of this Amendment, claims 15-20 and 25-44 will be pending and under consideration;

### Rejection of Claims 17 and 19 under 35 U.S.C. § 112, second paragraph

As noted above, Applicants have amended independent claims 15 and 18. Claims 15 and 18 are amended to recite a first side of a current collector. Accordingly, the step of applying a

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slurry to a second side of a current collector, as recited in respective dependant claims 17 and 19, is supported by a proper antecedent. Applicants therefore respectfully request that the rejection of claims 17 and 19 under 35 U.S.C. § 112, second paragraph be withdrawn.

#### **Rejection of Claims 15-16 under 35 U.S.C. § 102(b)**

The rejection of claims 15 and 16 should be withdrawn because Velasquez fails to teach at least one element of claims 15 and 16. Independent claim 15 recites a process for preparing a battery that includes, among other steps, preparing an electrolyte solution comprising a soluble polyimide. Velasquez fails to teach this step. Accordingly, Velasquez does not anticipate claim 15. Nor, for that matter, does Velasquez anticipate claim 16, which, through its dependence from claim 15, includes all the limitations of claim 15.

To support the rejection of claim 15, the Examiner correctly points out that Velasquez discloses an electrolyte composition including a solid *polymer* matrix. Velasquez, however, fails to teach use of a *soluble polyimide* in an electrolyte solution. Although a generic chemical formula will anticipate a claimed species covered by the formula when the species can be "at once envisaged" from the formula (M.P.E.P. 2131.02), that condition is not met in this case by the teachings of Velasquez. In the first place, the polymeric matrix disclosed by Velasquez does not represent a genus that covers the polyimide recited in claim 15. The term "polymer" conveys no general chemical formula. Therefore, the relation between the polymer electrolyte disclosed by Velasquez and the soluble polyimide electrolyte of claim 15 is not one of chemical genus-to-species, because there is no chemical genus. Secondly, a reference that includes many species

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will not anticipate a single species. For example, the Court has held that a reference disclosing "alkaline chlorine or bromine solution" embraces a large number of species and cannot be said to anticipate claims to "alkali metal hypochlorite." M.P.E.P. 2131.02, citing *In re Meyer*, 599 F.2d 1026, 202 USPQ 175 (CCPA 1979). Thus, even if the term polymer were construed to represent a genus, which it does not, notice of a "polymer" chemical genus would not allow one to "immediately envisage" the claimed polyimide because the term polymer would cover literally countless compositions-organic, inorganic, carbon-based, silicon-based, etc.

Because the disclosure of a polymer matrix electrolyte in Velasquez fails to teach the element recited in claim 15, namely an electrolyte solution comprising a soluble polyimide, Applicants respectfully request that the rejection of claims 15 and 16 under 35 U.S.C. § 102(b) be withdrawn.

#### Rejection of Claim 17 under 35 U.S.C. § 103(a)

The rejection of claim 17 was predicated upon the rejection of base claim 15. Because claim 17 includes by virtue of its dependence from claim 15, all of the limitations in the latter claim, Velasquez is deficient in teaching all the limitations of claim 17, at least for the reasons stated above regarding claim 15. Nor does the biface cell of Schutts address this deficiency. Accordingly, the rejection of claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Velasquez in view of Schutts, also should be withdrawn.

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**Rejection of Claims 18-19 under 35 U.S.C. § 103(a)**

The rejection of claims 18 and 19 should be withdrawn because Velasquez fails to teach or suggest at least one element of claims 18 and 19. As with independent claim 15, independent claim 18 recites a process for preparing a battery that includes, among other steps, preparing an electrolyte solution comprising a soluble polyimide. For at least the reasons set forth above with respect to claim 15, Velasquez fails to teach this step. Accordingly, Velasquez does not anticipate claim 18. Nor, for that matter, does Velasquez anticipate claim 19, which, through its dependence from claim 18, includes all the limitations of claim 18. Because Velasquez fails to teach the step of preparing an electrolyte solution comprising a soluble polyimide, it is moot as to whether, as asserted by the Examiner, one of ordinary skill would modify Velasquez by evaporating out an amount to cure an electrolyte. Applicants therefore respectfully request that the rejection of claims 18 and 19 under 35 U.S.C. § 103(a) be withdrawn.

**Rejection of Claim 20 under 35 U.S.C. § 103(a)**

The rejection of claim 20 also was predicated upon the rejection of claim 19. Because claim 20 includes by virtue of its dependence from claim 19, all of the limitations in the latter claim, Velasquez is deficient in teaching all the limitations of claim 20, at least for the reasons stated above regarding claim 19. Nor does the bifacial cell of Schutts address this deficiency. Accordingly, the rejection of claim 20 under 35 U.S.C. § 103(a) as being unpatentable over Velasquez in view of Schutts, also should be withdrawn.

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#### **New Claims 25-44**

Newly added independent claims 25 and 38 each recite subject matter similar to that presented in claim 15, and each include a further limitation of cross-linking the electrolyte solution using, alternatively, UV radiation (claim 25) or heat (claim 38), neither of which step is recited in claim 15. In addition, dependent claims 26-31 and 39-44, which depend from respective independent claims 25 and 38, all recite features of the present invention recited in the previously presented claims.

Newly added claim 32 and claims 33-37 (by virtue of their dependence from claim 32) depend from claim 16 and recite subject similar as the previously presented claims. Accordingly, all of claims 25-37 should be in allowable form as presented herein.

Applicants note that the pending claims in the present Application, which are directed to a method and/or process of the present invention should not be limited to the performance of their steps in the order written. One of ordinary skill in the art can readily appreciate that, while certain steps should be performed in a particular order, certain of the sequences may be varied and still remain within the spirit and scope of the present invention.

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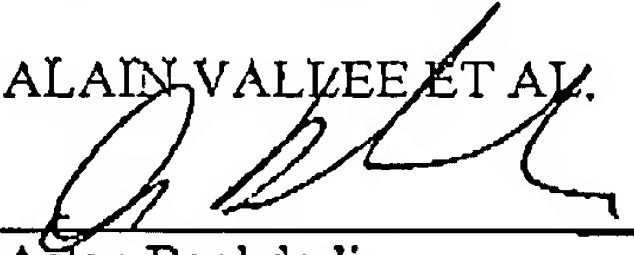
In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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Respectfully submitted,

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Date: April 30, 2007

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